

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|---------------------------------|----------|--|
| UNITED STATES OF AMERICA | : | CRIMINAL NO. _____ |
| v. | : | DATE FILED: _____ |
| SALIM SHABAZZ | : | VIOLATIONS: |
| CURTIS BROWN | : | 18 U.S.C. § 1951(a) (conspiracy to |
| | : | commit robbery which interferes with |
| | : | interstate commerce – 1 count) |
| | : | 18 U.S.C. § 1951(a) (robbery which |
| | : | interferes with interstate commerce – 1 |
| | : | count) |
| | : | 18 U.S.C. § 2119 (carjacking – 1 count) |
| | : | 21 U.S.C. § 841(a)(1) (possession with |
| | : | intent to distribute a controlled |
| | : | substance - 1 count) |
| | : | 18 U.S.C. § 2 (aiding and abetting) |
| | : | Notice of forfeiture |

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times relevant to this indictment:

1. AEXGroup, located in Philadelphia Pennsylvania, engaged in and affected interstate commerce, by providing prescription drugs, medication, varied merchandise, and goods and services to customers, some of which were produced and transported from other states to Pennsylvania.

2. On or about September 25, 2009, in Philadelphia, the Eastern District of Pennsylvania, defendants

**SALIM SHABAZZ and
CURTIS BROWN**

conspired and agreed, together and with Person #1, known to the grand jury (Person #1), and Person #2, known to the grand jury (Person #2), and with others known and unknown to the grand jury, to commit robbery, which robbery would unlawfully obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, in that defendants SHABAZZ and BROWN, conspired to unlawfully take and obtain prescription drugs, and other items of value from the person and presence of a person employed by AEXGroup, against his will, by means of actual and threatened force, violence, and fear of injury, immediate and future to his person and property, in violation of Title 18, United States Code, Sections 1951(a).

MANNER AND MEANS

It was part of the conspiracy that:

3. Defendants SALIM SHABAZZ and CURTIS BROWN, Person #1 and Person #2, and others known and unknown to the grand jury, planned to rob a delivery driver of AEXGroup during a scheduled delivery to The Upper Darby Pharmacy, located at 119 Long Lane in Upper Darby, Pennsylvania, to obtain prescription drugs and other items of value.

OVERT ACTS

In furtherance of the conspiracy, and to effect the object of the conspiracy, defendants SALIM SHABAZZ, CURTIS BROWN, Person # 1 and Person #2, and others known and unknown to the grand jury, committed the following overt acts, among others, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere:

1. Prior to September 25, 2009, Person #1 scouted the route of an AEXGroup delivery van, whose route included the delivery of prescription drugs and other items of value to various pharmacies. Person #1 planned to intercept and rob the delivery driver of his shipment.

On or before September 25, 2009:

2. Person #1 recruited defendant CURTIS BROWN and Person #2 to assist in the robbery.

3. Person #1 recruited defendant SALIM SHABAZZ to be a getaway driver for the robbery and offered SHABAZZ \$1,500 for his role as the getaway driver.

4. Defendants SALIM SHABAZZ and CURTIS BROWN drove with Person #1 and Person #2 in the getaway vehicle to intercept and rob the delivery driver.

5. After the robbers located the delivery driver on his route, they followed him to his scheduled delivery at The Upper Darby Pharmacy.

6. Defendant SALIM SHABAZZ parked the getaway car in the alleyway behind the pharmacy, in the vicinity where the delivery driver had started to unload his shipment.

7. Person #1 and Person #2 approached the delivery driver at the rear of the delivery van and forced the delivery driver into the back of the delivery van, where they bound his hands with cord.

8. Person #1, Person #2, and defendant CURTIS BROWN reloaded the portion of the shipment of drugs that had been taken out of the van by the victim-driver, and defendant BROWN assisted in the kidnapping of the victim-driver, who remained bound in the back of the truck, the carjacking of the delivery truck, and the theft of more than \$17,000 worth of prescription drugs and controlled substances, including Oxycodone and other drugs.

9. Person # 1 drove Person # 2 and defendant CURTIS BROWN in the carjacked delivery truck to the 6700 block of Essington Avenue in Philadelphia, where they were met by defendant SALIM SHABAZZ, who was driving the getaway car. There, the stolen drugs were reloaded into the getaway car and they drove off together in the getaway car leaving the victim-driver bound inside the delivery truck..

10. After the robbery, Person #1 repackaged some pills into smaller baggies in preparation for distribution.

All in violation of Title 18, United States Code, Sections 1951(a).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 and 3 and Overt Acts 1 through 10 of Count One of this indictment are incorporated here.
2. On or about September 25, 2009, in Philadelphia, the Eastern District of Pennsylvania, defendants

SALIM SHABAZZ and CURTIS BROWN

and others known to the grand jury, obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that, defendants SHABAZZ and BROWN unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of prescription drugs and other items of value belonging to the AEXGroup, located in Philadelphia, Pennsylvania, in the presence of an employee of that business, that is, the delivery driver, and against his will, by means of, actual and threatened force, violence, and fear of injury, immediate and future, to his person and property, that is, by restraining the victim with cords, kidnapping the victim-driver, carjacking the delivery truck, and stealing prescription drugs and other items of value.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 and 3 and Overt Acts 1 through 10 of Count One of this indictment are incorporated here.
2. On or about September 25, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**SALIM SHABAZZ and
CURTIS BROWN,**

and others known to the grand jury, with intent to cause death and serious bodily harm, took, and aided and abetted the taking, from the person and presence of the victim by force, violence and by intimidation, a Chevrolet van, that had been transported, shipped, and received in interstate commerce.

In violation of Title 18, United States Code, Sections 2119 and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 25, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**SALIM SHABAZZ and
CURTIS BROWN,**

and others known and unknown to the grand jury, knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, over 1700 pills, containing controlled substances, including but not limited to, Oxycodone, (e.g. OxyContin, Percocet, Roxicet) a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(c), and Title 18, United States Code, Section 2.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violation of Title 21, United States Code, Section 841(a)(1), and Title 18, United States Code Section 2, set forth in this indictment, defendants

**SALIM SHABAZZ and
CURTIS BROWN**

shall forfeit to the United States of America:

(a) any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense; and

(b) any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offense, including, but not limited to: any prescription pills, syrups or medication or any other items of value taken during the robbery, and any money received from distribution of those items.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant(s) up to the value of the property subject to

forfeiture.

All pursuant to Title 21, United States Code, Section 853.

GRAND JURY FOREPERSON



MICHAEL L. LEVY
United States Attorney